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THE CAPITALS OF TEXAS.

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[This is an unfinished paper, which Governor Roberts was preparing for THE QUARTERLY at the time of his death.—G. P. G.]

While Texas was under Spain and Mexico, it can hardly be said to have had a seat of government within its territory. The Consultation of 1835, by which the first provisional government of Texas was organized, and which represented the different municipalities, met at San Felipe de Austin on the Brazos river. That continued to be the meeting place of the executive officers, i. e., the governor, lieutenant-governor, and the members of the executive council, of whom there was one for each municipality, until their powers ceased upon the meeting of the Convention, March 1, 1836. The most remarkable circumstance pertaining to this temporary government was the violent controversy between the governor and the executive council.

The Convention of 1836, which made the declaration of independence and organized the second provisional government with a president and cabinet, was held at Washington on the Brazos. There was no capital then established, nor did the executive officers remain

at any one place during their term of service. They were for a time at Lynchburg and afterwards at Velasco.

In the fall of 1836 the Texas congress met at Columbia on the Brazos, and there held its first session with Gen. Sam Houston as president. During that session a law was passed making the city of Houston the seat of government of Texas from that time to the end of the session of congress that should be held in the year 1840. Gen. Stephen F. Austin, who was secretary of state under President Houston, died at Columbia, as it was said, from exposure in the discharge of his duty during the first session of congress.

At Houston a large frame house was built for a capitol, and when the seat of government was moved from that city the house became known as the Capitol Hotel. Now the ground is occupied by a large brick structure called by the same name. According to the constitution of 1836, which provided that the first president should serve two years, that the term should thereafter be three years, and that no one holding the office should be eligible to succeed himself, President Houston could not be his own immediate successor. Vice-President Mirabeau B. Lamar became the next president, and was inaugurated at the capitol in Houston in 1838.

In 1839 the Texas congress passed a law for the selection of a seat of government by five commissioners, two from east and three from west of the Trinity river. They were to purchase or have condemned for the State a tract of land upon which a capital city should be built. They were required under oath to keep their proceedings a profound secret and make their selection between the Trinity and Colorado rivers, north of the Old San Antonio Road or "King's Highway," which ran near Crockett and Bastrop. The possibility of selecting Houston, which had been named for President Houston, and was understood to be favored by him, was thus excluded. That was perhaps one amongst other evidences that President Houston's influence did not prevail during Lamar's administration. The fact that the place selected was on the northeast side of Colorado river, being in what was then Bastrop county on the extreme frontier of the settlements of the State, suggests the inquiry as to what could have been the reason for it. It has been said that one reason was because the place was as nearly as was then practicable in the center of the State. That could hardly have been the controlling reason; for since then there have been two elections throughout the

State to locate the seat of government, one in 1850, and one in 1872. In 1839 when the selection was made a majority of the inhabitants of Texas lived east and north of the Trinity river, from one hundred and fifty to four hundred miles from the place selected. If the circumstances attending the selection are examined into, it will be found that there were other reasons than the fact of the central position of the locality that determined the choice. For many years afterwards there was occasionally mentioned a report that Lamar while vice-president came with a party to this place on a hunt, that he early one morning shot and killed a buffalo in the narrow valley where Congress Avenue in the city of Austin is now situated, and that in taking a survey of the mountains and country around he said with poetic ardor to his comrades, "Here should be located the capital of Texas." This may explain why some prominent men located certificates on these ridges and hollows near the river on the northeast side of it in preference to locating them upon the rich black plains in the neighborhood. It may also explain why the five commissioners in the public report of their proceedings spoke of no other place having been examined by them. In about twenty days they had all the steps taken for the condemnation of 5,004 acres of land, instead of purchasing from those who had located it, as the law permitted them to do. The commissioners were made aware of the parties and of the lands located by them as shown by their report.¹ It is not reasonable to suppose that the selection could then have been made by a general vote of the people; this may be presumed from the subsequent efforts to remove the capital by election. Fortunately, however, the more extensively the State became settled up, the more appropriate became the location of the capital where Austin is now situated; and the building of the magnificent granite State house that has recently been erected may be taken as conclusive evidence of the general wish of the people that the seat of government shall remain permanently in this city.

There was a large frame structure built for the capitol on the

¹ Those who had located the lands were paid by the government for their claims. Afterwards it was found that Gen. T. J. Chambers had previously appropriated eight leagues of land, including the 5,004 acres condemned for the capital city. His claims also have been sustained by the supreme court of the State in the case of Chambers vs. Fisk et al. (22 Texas, 504); but neither he nor his heirs have ever been paid for this city tract of land.

ridge immediately west of Congress Avenue, where the City Hall now stands. The government offices having been removed, and Gen. Sam Houston having been again elected president of the Republic, he was inaugurated at the capitol in Austin in 1841.

In 1842 a large body of Mexican troops captured San Antonio and took many persons prisoners, including the officers of the district court then in session. The news of it soon reached Austin and produced great excitement. Preparations were shortly begun to remove the public archives, under the apprehension that Austin might also be attacked. President Houston and his cabinet left the city and went to Washington on the Brazos. He sought to have the archives removed to that place, which was resisted and prevented by the citizens of Austin and of the surrounding country. This affair has been called the Archive War. It involved no bloodshed, though much hard talk, but the archives were not removed from Austin.

The president convened congress at Washington on the Brazos in the fall of 1842. The sessions were held in cedar frame buildings that apparently had been erected for store houses. The capital remained there until July 4, 1845, when the Annexation Convention met in Austin, and the terms of the United States were agreed to and a new constitution adopted. From that time to the present, Austin has continued to be the seat of government of the State of Texas. It was in the building above mentioned west of Congress Avenue that President Anson Jones, on the 16th of February, 1846, surrendered the government of the Republic of Texas, to the executive officers and legislature of the State government, and the first governor of the State, J. Pinckney Henderson, was inaugurated.

A few years thereafter a more substantial building was erected for the capitol, near the center of the plat of ground of ten acres that had been set apart for a capitol building in laying off the city of Austin. This building was about one hundred feet long, fifty or sixty feet wide, and three stories in height, with broad stone steps at the south front reaching from the ground to the floor of the second story. The halls for the senate, the house of representatives, and the supreme court were situated on the third floor. The walls were built of hard limestone on the inside, and a soft yellow limestone on the outside that had been sawed in shape and smoothly planed. The same soft stone was used in building the Temporary Capitol in 1882 and may be seen on the outside of its walls. It was on the top of

the high steps in front of the Capitol that Governor Houston delivered his inaugural address to the assembled audience seated on the steps below and standing in the yard around them, on the 21st day of December, 1859. In the Hall of Representatives in this house, on the 28th of January, 1861, met the Secession Convention, composed of 180 members, prominent citizens of Texas, who, by their acts, in conjunction with those of the legislature, withdrew the State from the Federal Union and made it a part of the Southern Confederacy. On the 9th of November, 1881, this capitol building was burned by accident during my administration as governor. The greatest loss was that of the State library and the collection of geological specimens in the building, and the use of that house while the new capitol was being erected. The burning was accidental, and was caused by a clerk having a stove put up in one of the rooms with the top of the stove-pipe inserted in a hole in a partition wall. He supposed the hole to be the entrance to a flue that extended up through the roof of the house; when in fact it had been made in the partition wall to pass a pipe through the adjoining room to a flue in the next wall. This adjoining room had in it a large pile of books and papers that were set on fire by the sparks from the stove. The partition being of wood, the fire ran up it to the ceiling above before it was discovered; and then it was found that the pressure in the hose was not sufficient to throw the water to the top of the burning wall, and consequently the building could not be saved. The room in which the fire started was a book and paper store-room, that was entered only to put in and take out books and papers, and therefore but few persons were aware of the fact that the hole in the partition wall did not enter a flue. This explanation is made to show that the burning was accidental, and that it could not be prevented when it was discovered.

Most of the record books and papers of the executive offices were removed from the house before the fire reached them. The county authorities kindly furnished the governor with offices in the court house, and the secretary of State with a room in the county jail, and other rooms were rented for the different executive officers and for the senate and house of representatives. The legislature was convened in special session April 6, 1882. A bill providing for the erection of a temporary capitol was soon passed, and was approved May 4, 1882. It authorized the capitol board, consisting of the

governor, comptroller, treasurer, attorney-general, and commissioner of the general land office, to erect or rent a building for the purpose, and appropriated the materials of the buildings left on the capitol grounds and fifty thousand dollars to enable them to do it. The stone walls of the burned buildings, it may be remarked, had suffered little damage.

Finding that nothing suitable for their purpose could be rented, the commissioners determined to erect one large building to accommodate the government officials, and selected a place for it on Congress Avenue opposite the county court house. The site chosen is within the ten acre tract of land originally laid off for a capitol in surveying the city of Austin, as is also the ground upon which the court house stands. It was completed, and the executive offices were moved to it in time for the meeting of the legislature on the 9th of January, 1883, and soon afterwards Gov. John Ireland delivered his inaugural address in the representative hall of that building. According to the law mentioned above, it was to be used by the State officials until the completion of the new capitol, which was dedicated a few days after it was finished, on the 16th of May, 1888, during the administration of Gov. L. S. Ross.

There was a circumstance connected with the erection of the temporary capitol that deserves to be noticed. The walls had been completed, and the building had been covered with a blank roof for the shingles, when a very hard storm of wind and rain struck it, tore down the northwest corner nearly to the ground, and threw down parts of the north and west walls, which caused the roof to lean over to the northwest quite low. That took place at night, and the next morning the unfinished capitol was a bad looking sight. The capitol board selected three experienced builders to advise them what should be done to restore the building. The three met, examined the structure, and made their report in writing. They advised, in substance, that the whole of the north and west walls still left standing should be torn down and the foundation enlarged, and upon it thicker walls should be built. Then they immediately left for their homes. The board submitted the proposition to the contractor Mr. Smith, who refused to comply with it, because it would perhaps cause the other walls to fall, and because, even if it did not, he could not afford to do it under his contract. Thereupon the governor denounced the proposition as wholly unreasonable and impracticable,

and others of the board joined him in the opinion. Colonel Myers, the designer of the new capitol, who was in the city, was employed to examine the building and report some plan by which the walls should be rebuilt without tearing down any part of them, and it was done according to his direction. This accounts for the iron girders in the walls of the house. They were put in for greater safety but are really unnecessary; for the house with its partitions and substantial walls is really a good building, in which was used the best material of the old capitol and other structures.

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